

# Attachment 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                                   |   |                               |
|-----------------------------------|---|-------------------------------|
| Patent Application No. 09/924,503 | ) |                               |
|                                   | ) |                               |
| Filed: August 9, 2001             | ) | Art Unit: 3623                |
|                                   | ) |                               |
| Inventors: Matthew Barrer         | ) | Examiner: Bachner, Rebecca M. |
|                                   | ) |                               |
|                                   | ) |                               |
| Title: METHOD OF IMPLEMENTING A   | ) | Docket No.: 113175-00102      |
| CARDIAC EMERGENCY READINESS       | ) |                               |
| PROGRAM                           | ) | Date: March 17, 2003          |

DECLARATION OF MATTHEW BARRER UNDER 37 C.F.R. §1.131

1. I am the inventor of the subject matter disclosed and claimed in the above-identified patent application.
2. The invention disclosed and claimed in the above-identified application is also disclosed, at least in part, by Exhibits A-C, attached hereto and as described below.
3. Prior to and after May 8, 2000, I served as President of the SafeMeetings company.
4. I conceived and reduced to practice a program which was offered by the SafeMeetings company so as to provide a customer with a single source for a comprehensive cardiac emergency program for public buildings as set forth in the e-mail transmitted prior to May 8, 2000, attached as **Exhibit A** hereto.
5. As stated in Exhibit A, the program as conceived and practiced prior to May 8, 2000, involved the use of "automated external defibrillators" in "places where people meet", such as public buildings, and included the "design" or development, "implementation" and support of the emergency program including "acquisition" and placement of the "automated external defibrillators" after the building had been surveyed as part of the "SafeMeetings SiteReadiness Review".
6. As further stated in Exhibit A, the emergency program as conceived and practiced prior to May 8, 2000, included ongoing support in the form of, inter alia, "ongoing system maintenance and validation".
7. As further stated in Exhibit A, the emergency program as conceived and practiced prior to May 8, 2000, "coordinated AED (Automated External

Defibrillator) equipment acquisition" including the sale of the AED to the customer where appropriate.

8. As further stated in Exhibit A, the emergency program as conceived and practiced prior to May 8, 2000, included "ongoing" assistance in assuring that the systems were used "in accordance with law" even to the point of providing "legislative...updates".
9. As further stated in Exhibit A, the emergency program as conceived and practiced prior to May 8, 2000, included the training of at least one of the customer's personnel which was accomplished by an "approved training provider" and the trained personnel would in turn serve as liaisons with any emergency medical specialist who would be called to the customer's building or premises.
10. As further stated in Exhibit A, the emergency program as conceived and practiced prior to May 8, 2000, provided public relations to its customers in order to promote goodwill by listing the customer on the "SafeMeetings.com website" and otherwise promoting the customer through "industry presentations, publications, press releases and media efforts".
11. As further stated in Exhibit A, the emergency program as conceived and practiced prior to May 8, 2000, included automatic defibrillator usage review after a cardiac incident as part of the "ongoing system maintenance and validation" in addition to a "Post Cardiac" per diem consulting service. The "ongoing system and maintenance validation" also included periodic inspections to assure the proper operation of the "automated external defibrillator" even in the absence of a cardiac incident.
12. Prior to May 8, 2000, SafeMeetings was offering the claimed emergency program to customers for a fee as evidenced by the letter and quote which are attached hereto as **Exhibit B**.
13. The letter and quote forming Exhibit B, was directed to Sally J. Harris, General Manager of the Brookside Country Club, was approved by me as President of SafeMeetings prior to May 8, 2000, and prior to transmission to Ms. Harris. I also called upon Ms. Harris at the Brookside Country Club on at least one occasion prior to May 8, 2000 and personally conducted a site survey which led to the ultimate placement of the automated external defibrillator in "the closet in the rear of the Men's Grill Room as evidenced by the "Brookside Country Club AED Implementation Plan" which is attached hereto as **Exhibit C**.
14. As set forth in Exhibit C, Ms. Harris, who received her "CPR/AED" training prior to May 8, 2000, was named the "Director" of the emergency program which SafeMeetings provided to Brookside Country Club.

15. I further declare that all statements made herein of my own knowledge are true and that all statements made on information are believed to be true; and further that these statements are made with the knowledge that false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Matthew Barrer

3-17-03

Date

# EXHIBIT A

**Matthew Barrer**

From: elizabeth barrer [elizabethb1@fast.net]  
Sent:  
To: Barrer, Matthew  
Subject: Fw: Re-written SM deliverables

Original Message  
From: Matthew Barrer  
To: LOSTSALE@aol.com  
Cc: MeetingMed@aol.com  
Sent: Monday,  
Subject: Re: Re-written SM deliverables

Bill Hess

Sales man who sold to  
Brookside. HE WAS A PA.  
BOTH HIM + OBERTOTS DID

Our mission: To assist "places where people meet" prepare for cardiac medical emergencies and to perform effectively when they occur.

SITE ASSESSMENTS

SafeMeetings SiteReadinessReview \*: We will recommend procedures that help prepare and deal with cardiac emergencies

AT Brookside as

I recall.

SafeMeetings High Performance Cardiac Medical Emergency Response System Implementation:  
- Design and implement a high performance cardiac medical emergency response system based on the SiteReadinessReview \*.

- Coordinate AED (Automated External Defibrillator) equipment acquisition.
- Supervise training by a SafeMeetings approved training provider.
- Conduct the implementation and validation of the system performance.
- Conduct ongoing system maintenance and validation as well as recommend changes to systems in accordance with law

SafeMeetings Registry \*: Subsequent to meeting the criteria of a SiteReadinessReview \* and implementing a High Performance Cardiac Medical Emergency Response System, the facility or organization is registered for one year. They are listed on SafeMeetings.com website and registrant will be promoted through our industry presentations, publications, press releases and media efforts. The organization uses our icon in their promotional media.

For one year, SafeMeetings provides support, legislative, best practice, logistical and technology updates.

(Annual registry renewal and multiple site programs available.) Safe meetings will assist seal holder in

1. obtaining press in media venues for its cardio readiness and the goodwill surrounding
2. help promote differential from facility not "cardio ready"

SafeMeetings Per Diem Medical Emergency Consulting Services:

Medical Emergency Plan Auditing and Authoring, Medical Emergency Loss Control Engineering, Training Content Design and Delivery, EMS- MedEvac Liaison, Post Cardiac

----- Original Message -----

From: <LOSTSALE@~~so~~l.com>

To: <Matthew@~~ent~~erprise.com>; <MeetingMed@~~so~~l.com>

Sent:

Subject: Re-written SM deliverables

- > Hey Guys-
- > Here is a more general version of Riche SM deliverables. I didn't make it
- > quite as fancy as the original but I think it relays the appropriate info.
- > Let me know what you think and I can always revise. I will probably use this
- > one for my meeting tomorrow. Have a good night. BILL
- >

# EXHIBIT B





Brookside Country Club  
Sally J. Harris, General Manager  
P.O. Box 311  
Pottstown, PA 19464

Dear Sally:

Thank you for your interest in improving the standard of care that your club can provide to its members. The quote is broken down into an equipment price and a training price. As we discussed earlier today, it seems to be most practical to include training for AED use into the scheduled CPR training. I have scheduled the training with Mr. Biggs for the allotted time on Monday, ~~11/15/88~~ 11/16/88. If you find that the board will not agree to the difference in cost, we can provide CPR training alone. We can discuss that matter further on Monday, ~~11/15/88~~ 11/16/88 when we meet for the house committee meeting. If you have any further questions, feel free to call me at 610-659-9590.

Sincerely,

*William L. Meert*

William L. Meert, P.A.C.

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| CODE  | QUANTITY | DESCRIPTION   | COST                 |
|---|----------|---|----------------------|
| SafeMeetings.com Registry<br>Seal of Approval |          | * Recognition of Your AED Program at SafeMeetings.com<br>* Project Management Support to Accomplish AED Program<br>Design, Implementation and Ongoing Performance<br>Improvement (Pricing break for First U.S. YMCA Model)<br>* Inclusion in SafeMeetings.com AED Program Promotion<br>in Publications and at Educational Seminars<br>* Use of the SafeMeetings.com Icon to Promote Your<br>AED Program | \$125.00<br>\$250.00 |
| Kit #2  | 1        | LIFEPAK 500 AED with monophasic waveform,<br>two button operation.<br><br>1 non-rechargeable battery,<br>1 spare pair electrodes (total of two)<br>1 carrying case,<br>and Ambu Res-Cue Key First Responder kit.  | \$3156.00            |
| LifeNet MD system                             | 1        | Medical Prescription - valid for years 2000-2005  | \$496.00             |
| Skills Maintenance                            | 1        | 1 yr. Software & Program Management   | \$250.00             |
| <b>EQUIPMENT TOTAL:</b>                       |          |   | <b>\$4278.00</b>     |
| Training                                      |          | Training According to Jurisdictional Laws<br>CPR/AED including book for 12 persons  | \$720.00             |
| <b>TOTAL:</b>                                 |          |   | <b>\$4998.00</b>     |

# EXHIBIT C



1200 High Street  
Suite 106  
Pottstown, PA 19464  
610-328-4233

## **Brookside Country Club**

### **AED Implementation Plan**

#### **Medical Authorization Provider:**

Kennedy J Sbat, D.O.  
1591 Medical Drive  
Pottstown, PA, 19464

#### **Director of Program:**

Sally J. Harris, General Manager

#### **AHA Heartsaver CPR/AED trained May 1, 2000:**

Sally Harris, G.M.  
Doreen Heimbach, Assistant Manager  
Peter Fizz, Chef  
William Oister, Assistant Chef  
Dan Dewick, Bar and House Staff  
Debra Showers, Bar Staff  
Sheila Batzel, Wait Staff  
Lori Ford, Wait Staff  
Kathy O'Neill, Wait Staff  
Diane Soley, Wait Staff  
Ryan Breidegam, Assistant Golf Pro.  
Jeff Fanok, Greens Superintendent

BLANK ROME / WASH

:2024636915

P.08



1200 High Street  
Suite 108  
Pottstown, PA 19464  
610-328-4233

783-

610-783-

7827

3

I, the undersigned, acknowledge that I am a willing participant in the Brookside Country Club AED response team and have read and understand the Implementation Plan.

AHA Heartsaver CPR/AED trained:

Sally Harris, G.M. 1

Doreen Helmreich, Assistant Manager 2

Peter Fizz, Chef 2

William Oister, Assistant Chef 3

Dan Dawick, Bar and House Staff 4

Debra Showers, Bar Staff 5

Sheila Batzel, Wait Staff 6

Lori Ford, Wait Staff 7

Kathy O'Neill, Wait Staff 8

Diane Soley, Wait Staff 9

Ryan Breidegarn, Assistant Golf Pro. 10

Jeff Fanok, Greens Superintendent 11

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**Location of Automated External Defibrillator:**

The closet in the rear wall of the Mens Grill Room.

-This site was chosen for its central location.

-This location will be denoted by signage acknowledging presence of a cardiac medical device.

**General Recommendations:**

-All groups of golfers will be encouraged to carry a cellular telephone with them while out on the course.

-A sticker displaying the telephone number 610-323-4520 will be placed in a visible spot on all golf carts. A brief explanation of what to do in the event of an emergency could also be included.

-Place a sign on the Pro Shop door reminding all groups to take a cellular telephone with them on the course.

-Have Pro Shop staff remind all parties to take a cellular phone with them as they are signing out their cart.

-Consider a secondary method of contact in the event of cellular telephone failure.

(ie: whistle)

-A script to be placed by each phone that would include:

- 1) Precise location of person requiring assistance
- 2) Nature of emergency
- 3) Responsibility to alert trained personnel
- 4) Reminder to call 911.

-Instruct all trained personnel on driving a golf cart.

-Arrange for a cart to be accessible at all times.

-Alert all personnel that their responsibility extends to the pool area since the lifeguards are not trained for AED use.

**Chain of Command:**

In the event of an emergency, caller would be directed to call the main phone number for Brookside Country Club. This number is 610-323-4520.

The phones are answered by the secretarial staff from 8 AM to 5 PM and then by the bar staff until the club closes.

The person answering the telephone will: obtain precise location of party requiring assistance.

: obtain the nature of the emergency.

: obtain the approximate age and sex of victim

: alert the trained persons on above information

: CALL 911.

The trained persons will respond to the place of the emergency after obtaining the AED from its storage location, either by foot or golf cart depending on the location.

The person that answered the telephone will then go out to the front, main entrance and await the arrival of the EMS personnel and direct them to the location.

Post-event: call SafeMeetings at 610-326-4233 for event evaluation and data management.